Summons in a Civil Action (Rev 11/97)

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

FILED

07 NOV -6 AM 9:47

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: PDC DEPUTY

Ping Huang,

vs

Michael Chertoff, Secretary of the Department of Homeland Security;
Emilio T. Gonzalez, Director of the United States Citizenship and Immigration Services;
Robert S. Mueller III, Director of the Federal Bureau of Investigation;

SUMMONS IN A CIVIL ACTION

Case No.

'07 CV 2042 BTM (WMC)

TO: (Name and Address of Defendant)

Michael Chertoff
Secretary of the Department of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Justin Fok, Esq., CA State Bar #242272
Law Offices of Jean D. Chen
2107 N. 1st Street, #400
San Jose, CA 95131
Telephone: (408) 437-1788

An answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.
CLERK

NOV - 6 2007
DATE

By P. DELACRUZ, Deputy Clerk

Summons in a Civil Action

::ODMA\PCDOCS\WORDPERFECT\14443\1 May 5, 1999 (11:34am)

Summons in a Civil Action (Rev 11/97)

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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United States District Court

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Ping Huang,

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Michael Chertoff, Secretary of the Department of Homeland Security;
Emilio T. Gonzalez, Director of the United States Citizenship and Immigration Services;
Robert S. Mueller III, Director of the Federal Bureau of Investigation;

SUMMONS IN A CIVIL ACTION
Case No.

'07 CV 2042 BTM (WMC)

TO: (Name and Address of Defendant)

Robert S. Mueller, III
Director of FBI
Federal Bureau of Investigation
J. Edgar Hoover Building
935 Pennsylvania Avenue, NW
Washington, DC 20536-0001

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Justin Fok, Esq., CA State Bar #242272
Law Offices of Jean D. Chen
2107 N. 1st Street, #400
San Jose, CA 95131
Telephone: (408) 437-1788

An answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.
CLERK

NOV - 6 2007
DATE

P. DEL CRUZ

By , Deputy Clerk

Summons in a Civil Action

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Summons in a Civil Action (Rev 11/97)

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SOUTHERN DISTRICT OF CALIFORNIA

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Ping Huang,

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Michael Chertoff, Secretary of the Department of Homeland Security;
Emilio T. Gonzalez, Director of the United States Citizenship and Immigration Services;
Robert S. Mueller III, Director of the Federal Bureau of Investigation;

SUMMONS IN A CIVIL ACTION

Case No.

'07 CV 2042 BTM (WMC)

TO: (Name and Address of Defendant)

Emilio T. Gonzalez
Director
U.S. Citizenship and Immigration Services
425 I Street, NW
Washington, DC 20536-0003

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Justin Fok, Esq., CA State Bar #242272
Law Offices of Jean D. Chen
2107 N. 1st Street, #400
San Jose, CA 95131
Telephone: (408) 437-1788

An answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.
CLERK

NOV - 6 2007
DATE

By P. DEL CRUZ, Deputy Clerk

Summons in a Civil Action

::ODMA\PCDOCS\WORDPERFECT\14443\1 May 5, 1999 (11:34am)

RETURN OF SERVICE

Service of the Summons and Complaint was made by me	DATE 11/06/2007
NAME OF SERVER DE ZHANG	TITLE Law Clerk

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ____________

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

☐ Return unexecuted:

☒ Other (specify): Certified Mail with Return Receipt

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES USPS	TOTAL $38.7

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 11/06/2007 Date

Signature of Server

Law Offices of Jean D. Chen
2107 N. First St., Suite 400
San Jose, California 95131

Address of Server

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

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Sent To: Attn: Civil Process Clerk
U.S. Attorney's Office
Street, Apt. No.; or PO Box No.: San Diego County Office
City, State, ZIP+4: Federal Office Building
880 Front Street, Room 6293
San Diego, CA 92101-8893

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Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $6.45	11/06/2007

Sent To: Michael Chertoff
Secretary of the Department of Homeland Security
Street, Apt. No.; or PO Box No.: U.S. Department of Homeland Security
City, State, ZIP+4: Washington, DC 20528

PS Form 3800, June 2002 See Reverse for Instructions

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Total Postage & Fees	$ $6.45	11/06/2007

Sent To: Office of the General Counsel
Street, Apt. No.; or PO Box No.: U.S. Department of Homeland Security
City, State, ZIP+4: Washington, DC 20528

PS Form 3800, June 2002 See Reverse for Instructions

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Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $6.45	11/06/2007

Sent To: Emilio T. Gonzalez, Director
Street, Apt. No.; or PO Box No.: U.S. Citizenship and Immigration Services
City, State, ZIP+4: 425 I Street, NW
Washington, DC 20536-0003

PS Form 3800, June 2002 See Reverse for Instructions

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Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $6.45	11/06/2007

Sent To: Peter D. Keisler
Acting United States Attorney General
Street, Apt. No.; or PO Box No.: U.S. Department of Justice
City, State, ZIP+4: 950 Pennsylvania Ave, NW
Washington, DC 20530-0001

PS Form 3800, June 2002 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	$2.15	
Restricted Delivery Fee (Endorsement Required)	$0.00	
Total Postage & Fees	$ $6.45	11/06/2007

Sent To: Robert S. Mueller, III, Director of FBI
Street, Apt. No.; or PO Box No.: Federal Bureau of Investigation
J. Edgar Hoover Building
City, State, ZIP+4: 935 Pennsylvania Ave. NW
Washington, DC 20535-0001

PS Form 3800, June 2002 See Reverse for Instructions

CERTIFCATE OF SERVICE

I am over the age of 18 and not a party to the within action. I am an employee of the Law Offices of Jean D. Chen and my business address is:

2107 N. First St., Suite 400, San Jose CA, 95131

On 11/06/2007 I served:

1) **Summons in a Civil Action;**
2) **Plaintiff's original complaint for writ in the nature of mandamus and declaratory judgment under 28 U.S.C. § 1361;**

on the persons or entities named below, for the case Huang v. Chertoff et al. (07CV 2042BTM (WMC)), by placing said documents in an envelope, which was then sealed, with postage fully paid and addressed as follows:

Peter D. Keisler (By certified mail with return receipt)
Acting United States Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Michael Chertoff (By certified mail with return receipt)
Secretary of the Department of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

Emilio T. Gonzalez (By certified mail with return receipt)
Director
U.S. Citizenship and Immigration Services
425 I Street, NW
Washington, DC 20536-0003

Robert S. Mueller, III (By certified mail with return receipt)
Director of FBI
Federal Bureau of Investigation
J. Edgar Hoover Building
935 Pennsylvania Avenue, NW
Washington, DC 20536-0001

Civil Process Clerk (By certified mail with return receipt)
U.S. Attorney's Office
San Diego County Office
Federal Office Building
880 Front Street, Room 6293
San Diego, California 92101-8893

Office of the General Counsel (By certified mail with return receipt)
U.S. Department of Homeland Security
Washington, DC 20528

Date of mailing: 11/06/2007 Place of mailing: San Jose, California.

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

Executed this on 11/06/2007 at San Jose, California

DE ZHANG